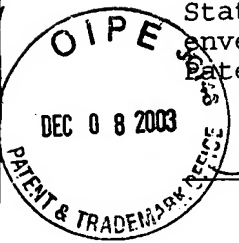
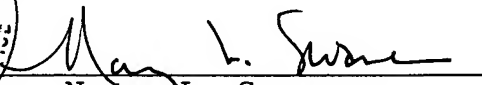


I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



  
Nancy L. Swanson

12 | 04 | 03  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KLAUS GIESE et al.  
Confirmation No.: 6161  
U.S. Application No. 10/601,091  
Filing Date: June 19, 2003  
Group Art Unit: 1646  
Examiner: Unassigned  
For: METASTATIC BREAST AND COLON CANCER  
REGULATED GENES

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATE UNDER 37 C.F.R. § 3.73(b)**

Sir:

CHIRON CORPORATION, a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest,  
or
2. ☐ an assignee of an undivided part interest in the patent application/patent identified above by virtue of either:

**DO NOT FORWARD TO ASSIGNMENT BRANCH**

- A. ☒ An Assignment from the inventor(s) of the patent application/patent identified above. The patent application identified above claims benefit of U.S. Provisional Application No. 60/070,112, filed December 31, 1997, wherein an Assignment was recorded at the Assignment Branch of the U.S. Patent and Trademark Office on February 26, 1998 at Reel and Frame No. 9023/0688, for which a copy thereof is attached.

An Assignment from the inventor(s) of the patent application/patent identified above. The patent application identified above claims benefit of U.S. Patent Application No. 09/215,450, filed December 17, 1998, wherein an Assignment was recorded at the Assignment Branch of the U.S. Patent and Trademark Office on December 14, 1999 at Reel and Frame No. 140463/0001, for which a copy thereof is attached.

- B. ☐ A chain of title from the inventor(s) of the patent application/patent identified above to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

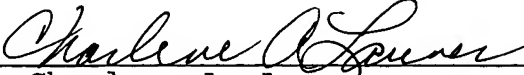
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the PTO. See MPEP 302-302.8]

**DO NOT FORWARD TO ASSIGNMENT BRANCH**

The undersigned (whose title is supplied below) is empowered to act on behalf of the assignee.

Signature:   
Name: Charlene A. Launer  
Title: Assistant Secretary  
CHIRON CORPORATION  
Date: December 3, 2003

DO NOT FORWARD TO ASSIGNMENT BRANCH



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

MARCH 21, 2000

PTAS

CHIRON CORPORATION  
KIMBERLIN L. MORLEY  
INTELLECTUAL PROPERTY - R440  
BOX 8097  
EMERYVILLE, CALIFORNIA 94662-8097



\*101237896A\*

MAR 2000  
Received

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 12/14/1999

REEL/FRAME: 010463/0001  
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
GIESE, KLAUS

DOC DATE: 02/23/1999

ASSIGNOR:  
XIN, HONG

DOC DATE: 11/16/1999

ASSIGNEE:  
CHIRON CORPORATION  
P.O. BOX 8097  
INTELLECTUAL PROPERTY - R440  
EMERYVILLE, CALIFORNIA 94608-8097

SERIAL NUMBER: 09215450  
PATENT NUMBER:

FILING DATE: 12/17/1998  
ISSUE DATE:

FOR YOUR INFORMATION

Date: 3/29/2000  
To: Gene Foltz  
From: Kim Morley  
Chiron Corporation

DECKETED on 3/28/00 by KLM FA COPY ONLY  
File # 1451.002 DO NOT FORWARD  
Due Date TO  
Final Date ASSIGNMENT BRANCH

010463/0001 PAGE 2

SHIRLIE SIMON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

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ASSIGNMENT BRANCH

01-05-2000




101237895

U.S. Patent Application No. 09/215,450  
Attorney Docket No. 1451.002

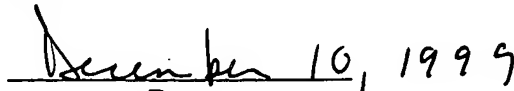
DEC 14 1999

12.14.99

I hereby certify that this paper is being deposited in the United States Postal Service as first class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231-0001, Attn: Box Assignments, on December 10, 1999.

  
Nancy L. Swanson

DEC 08 2003

  
Date



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KLAUS GIESE et al.

Serial No.: 09/215,450

Group Art: Unassigned

Filed : December 17, 1998

Examiner: Unassigned

For : METASTATIC BREAST AND COLON CANCER REGULATED GENES

ASSIGNMENT DOCUMENT COVER LETTER

Box Assignment  
Assistant Commissioner for Patents  
Washington, D.C. 20231

1. The accompanying assignment covers the patent or application identified above.

X No other patents or applications are covered by the assignment.

— Other patents and/or applications are covered by the assignment as shown on the attached LIST OF PATENTS AND/OR APPLICATIONS COVERED BY ASSIGNMENT.

01/05/2000 DNGUYEN 00000030 09215450

01 FC:581

40.00 OP

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TO  
ASSIGNMENT BRANCH

**NAMES OF PARTY MAKING TRANSFER**

2. Name 1: Klaus Giese  
Name 2: Hong Xin

**IDENTITY OF PARTY TO WHOM TRANSFER IS MADE**

3. Transfer is being made to:

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94608-8097  
United States of America

**INTENTION OF DOCUMENT**

4. The accompanying document is an:

X  Assignment                           License  
     Security Interest                   Other

X  Execution Date: February 23, 1999 and November 16, 1999

**FEE PAYMENT**

5. Total fee due \$40.00

6.      Charge Deposit Account No. 03-1664 in the sum of \$40.00.

X  Enclosed is a check for \$40.00.

X  The Assistant Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 03-1664. THIS IS NOT AN AUTHORIZATION FOR PAYMENT OF ANY ISSUE FEES.

**ADDRESS TO WHICH DOCUMENT SHOULD BE RETURNED AFTER RECORDAL  
BY PTO**

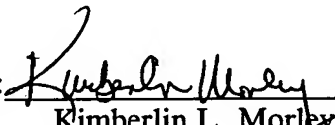
7. Please return the recorded document to:

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
United States of America

**STATEMENT BY THE PARTY**

8. I hereby submit that, to the best of my knowledge and belief, the foregoing information contained herein is true and correct and any copy submitted herewith is a true and correct copy of the original document.

Respectfully submitted,

By:   
Kimberlin L. Morley  
Attorney for Assignee  
Reg. No. 35,391

Dated: December 10, 1999

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
TEL: (510) 923-8406  
FAX: (510) 655-3542

Total number of pages comprising cover sheet: 6 (Assignment Cover Letter plus Original Assignment)

**ASSIGNMENT**

**WHEREAS**, We, Hong Xin and Klaus Giese, hereinafter referred to as **ASSIGNORS**, have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention:     **METASTATIC BREAST AND COLON CANCER REGULATED GENES**

Date(s) of Execution:   February 23, 1999           Filing Date: December 17, 1998  
                              November 16, 1999

Serial No:               09/215,450

**WHEREAS**, CHIRON CORPORATION, 4560 Horton Street, Emeryville, California 94608-2916, a corporation of the State of Delaware, hereinafter referred to as **ASSIGNEE**, is desirous of acquiring the entire right, title and interest in the above invention and application and in any Letters Patent which may be granted on the same;

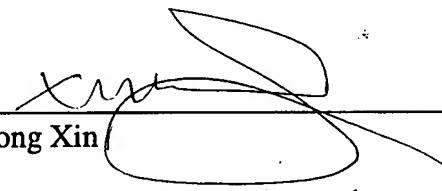
**NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:** Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.

**ASSIGNORS** also agree that the U.S. application number may be entered above by **ASSIGNEE** or its agents upon designation of the application number by the U.S. Patent and Trademark Office.

**ASSIGNORS** further agree that they will, without charge to said **ASSIGNEE**, but at **ASSIGNEE'S** expense, cooperate with **ASSIGNEE** in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as **ASSIGNEE** lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said **ASSIGNEE**, or **ASSIGNEE'S** successors and assigns.


*IN TESTIMONY WHEREOF*, **ASSIGNORS** have hereunto signed their names to this assignment on the dates indicated below.

DATE 2/23/99

  
\_\_\_\_\_  
Hong Xin

DATE 11/16/95

  
\_\_\_\_\_  
Klaus Giese

  
\_\_\_\_\_  
Harald Hurrel

Witness

# CALIFORNIA ALL-PURPOSE ACKN WLEDGMENT

State of California

County of Alameda

On February 23, 1999 before me, Elissa M. Nash

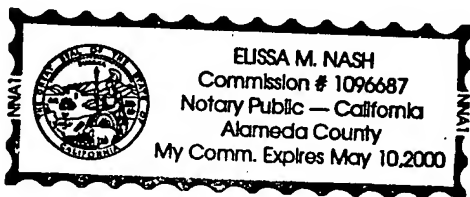
Date

Name and Title of Officer (e.g., "Jane Doe, Notary Public")

personally appeared Hong Xin

Name(s) of Signer(s)

☐ personally known to me – **OR** – ☒ proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Elissa M. Nash  
Signature of Notary Public

## OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

### Description of Attached Document

Title or Type of Document: Assignment

Document Date: \_\_\_\_\_ Number of Pages: 2

Signer(s) Other Than Named Above: Klaus Giese

### Capacity(ies) Claimed by Signer(s)

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
Top of thumb here

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer  
Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney-in-Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_

Signer Is Representing: \_\_\_\_\_

RIGHT THUMBPRINT  
OF SIGNER  
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Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

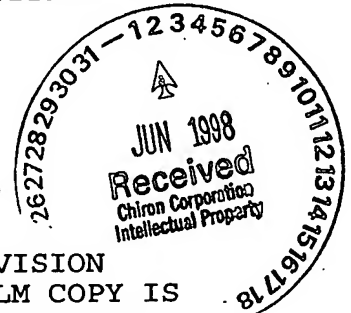
MAY 26, 1998

PTAS

CHIRON CORPORATION  
JANE E. R. POTTER  
INTELLECTUAL PROPERTY - R440  
P.O. BOX 8097  
EMERYVILLE, CA 94662-8097



\*100662296A\*



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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 02/26/1998

REEL/FRAME: 9023/0688  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:  
XIN, HONG

DOC DATE: 01/26/1998

ASSIGNOR:  
GIESE, KLAUS

DOC DATE: 02/02/1998

ASSIGNEE:  
CHIRON CORPORATION  
P.O. BOX 8097  
INTELLECTUAL PROPERTY - R440  
EMERYVILLE, CALIFORNIA 94662-8097

SERIAL NUMBER: 60070112  
PATENT NUMBER:

FILING DATE: 12/31/1997  
ISSUE DATE:

DOCKETED on/by 6/2/98 Om  
Atty. SEP PA  
File # 1451.001  
Due Date \_\_\_\_\_  
Final Date \_\_\_\_\_  
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2/26/98

03-16-1998



IN THE UNIT

100662296

DEMARK OFFICE

Atty. Docket No. 1451-001  
FEB 26 1998  
USSN 60/070,112  
RECEIVED PATENT  
RECEIPT ACCTG. DIV.

In re Application of: Hong Xin et al.

Serial No: 60/070,112

Filed : December 31, 1997

For : METASTATIC BREAST AND COLON CANCER REGULATED GENES



Group Art: Unassigned

Examiner: Unassigned

**ASSIGNMENT DOCUMENT COVER LETTER**

Box Assignment  
Assistant Commissioner of Patents and Trademarks  
Washington, D.C. 20231

1. The accompanying assignment covers the patent or application identified above.

X No other patents or applications are covered by the assignment.

Other patents and/or applications are covered by the assignment as shown on the attached LIST OF PATENTS AND/OR APPLICATIONS COVERED BY ASSIGNMENT.

**NAMES OF PARTY MAKING TRANSFER**

2. Name 1: Hong Xin  
Name 2: Klaus Giese

**IDENTITY OF PARTY TO WHOM TRANSFER IS MADE**

3. Transfer is being made to:

03/13/1998 VEBROWN 000000160 60070112 40.04  
01 FC:581  
CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
United States of America

I hereby certify that this correspondence is  
being deposited with the United States  
Postal Service as first class mail in an  
envelope addressed to: Box Assignment  
Commissioner of Patents and Trademarks,  
Washington, D.C. 20231, on this 23  
day of Feb., 19 98  
By Diane D. Giese

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**INTENTION OF DOCUMENT**

4. The accompanying document is an:

  X   Assignment                             License  
       Security Interest                  Other

  X   Execution Date: January 26, 1998 & February 2, 1998

**FEE PAYMENT**

5. Total fee due \$40.00

6.        Charge Deposit Account No. 03-1664 in the sum of \$40.00.

  X   Enclosed is a check for \$40.00.

  X   The Commissioner is hereby authorized to charge any additional fees which may be required or credit any overpayment to Deposit Account No. 03-1664. THIS IS NOT AN AUTHORIZATION FOR PAYMENT OF ANY ISSUE FEES.

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BY PTO**

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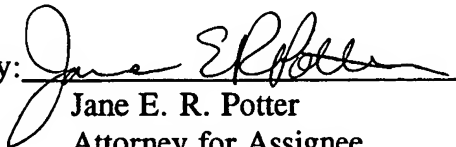
Jane E. R. Potter  
CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
United States of America

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TO  
ASSIGNMENT BRANCH

**STATEMENT BY THE PARTY**

8. I hereby submit that, to the best of my knowledge and belief, the foregoing information contained herein is true and correct and any copy submitted herewith is a true and correct copy of the original document.

Respectfully submitted,

By:   
Jane E. R. Potter  
Attorney for Assignee  
Reg. No. 33,332

February 23, 1998

CHIRON CORPORATION  
Intellectual Property - R440  
P.O. Box 8097  
Emeryville, California 94662-8097  
(510) 923-2718  
(510) 655-3542 (Fax)

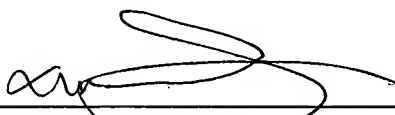
Total number of pages comprising cover sheet: 5 (Cover Letter plus Original Assignment)

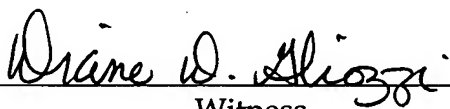
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TO  
INVENTION BRANCH

**ASSIGNORS** further agree that they will, without charge to said **ASSIGNEE**, but at **ASSIGNEE'S** expense, cooperate with **ASSIGNEE** in the prosecution of said application and/or applications, execute, verify, acknowledge and deliver all such further papers, including applications for Letters Patent and for the reissue thereof, and instruments of assignment and transfer thereof, and will perform such other acts as **ASSIGNEE** lawfully may request, to obtain or maintain Letters Patent for said invention and improvement in any and all countries, and to vest title thereto in said **ASSIGNEE**, or **ASSIGNEE'S** successors and assigns.

*IN TESTIMONY WHEREOF, ASSIGNORS* have hereunto signed their names to this assignment on the dates indicated below.

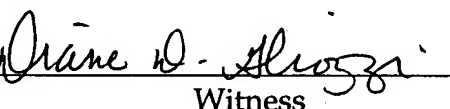
DATE 1/26/98

  
Inventor - Hong Xin

  
Witness

DATE 2/2/98

  
Inventor - Klaus Giese

  
Witness

COPY ONLY  
DO NOT FORWARD  
TO  
ASSIGNMENT BRANCH

**ASSIGNMENT**

**WHEREAS, WE,     HONG XIN  
                         KLAUS GIESE**

hereinafter referred to as **ASSIGNORS**, have invented certain new and useful improvements as described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: **METASTATIC BREAST AND COLON CANCER REGULATED GENES**

Date of Execution: **January 26, 1998  
February 2, 1998**

Filing Date: **December 31, 1997**

Serial No: **60/070,112**

**WHEREAS, CHIRON CORPORATION, 4560 Horton Street, Emeryville, California 94608-2916, a corporation of the State of Delaware, hereinafter referred to as ASSIGNEE, is desirous of acquiring the entire right, title and interest in the above invention and application and in any Letters Patent which may be granted on the same;**

**NOW, THEREFORE, TO ALL WHOM IT MAY CONCERN:** Be it known that, for and in consideration of the sum of One Dollar (\$1.00) lawful money paid to **ASSIGNORS** by **ASSIGNEE**, receipt of which is hereby acknowledged, **ASSIGNORS** have sold, assigned and transferred, and by these presents do sell, assign and transfer unto said **ASSIGNEE**, and **ASSIGNEE'S** successors and assigns, all right, title and interest in and to the said invention, said application for United States Letters Patent, and any Letters Patent which may hereafter be granted on the same in the United States and all countries throughout the world including any divisions, renewals, continuations in whole or in part, substitutions, conversions (including conversions claiming priority under 35 U.S.C. §119(e)), reissues, prolongations or extensions thereof, the said interest to be held and enjoyed by said **ASSIGNEE** as fully and exclusively as it would have been held and enjoyed by said **ASSIGNORS** had this assignment and transfer not been made, to the full end and term of any Letters Patent.


**ASSIGNORS** also agree that the U.S. serial number may be entered above by **ASSIGNEE** or its agents upon designation of the serial number by the U.S. Patent and Trademark Office.

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ASSIGNMENT BRANCH



PATENT  
Atty. Docket No. PP-01451.105

I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

  
Nancy L. Swanson

12/04/03  
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: KLAUS GIESE et al.  
Confirmation No.: 6161  
U.S. Application No. 10/601,091  
Filing Date: June 19, 2003  
Group Art Unit: 1646  
Examiner: Unassigned  
For: METASTATIC BREAST AND COLON CANCER  
REGULATED GENES

**POWER OF ATTORNEY FOR PATENT APPLICATION**

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

As assignee of record of the above-identified application, I hereby appoint the following as my attorneys with full power of substitution to prosecute this application and transact all business in the patent office connected therewith:

Comprising Chiron Corporation, Emeryville, California:

<u>Name</u>	<u>Reg. No.</u>	<u>Name</u>	<u>Reg. No.</u>
Lisa E. Alexander	41,576	Robert P. Blackburn	30,447
Steven W. Collier	42,429	Young J. Suh	41,337
Rebecca M. Hale	45,680	Alisa A. Harbin	33,895
Charlene A. Launer	33,035	Marcella Lillis	36,583

Comprising the firm of Davis, Wright Tremaine LLP, Seattle, Washington:

Jane E. R. Potter, Esq.  
Registration No. 33,332


Barry L. Davison, Ph.D., J.D.  
Registration No. 47,309

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Dated this 3 day of December, 2003